

IN RE: PETITION FOR ZONING VARIANCE
SE/Corner Maple Road and
North Cove Road
(2313 Maple Road)
15th Election District
7th Councilmanic District
Benjamin Doty, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-171-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a buildable lot with a width of 50 feet in lieu of the minimum required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners, by Charles D. Poole, Contract Purchaser, appeared and testified. There were no Protestants

Testimony indicated that the subject property, a corner lot known as 2313 Maple Road, consists of 8,000 sq.ft. zoned D.R. 5.5 and is presently unimproved. Said property is located within the Chesapeake Bay Critical Areas near North Point Creek. Petitioners have entered into a contract to sell the subject property to Mr. & Mrs. Charles D. Poole who are desirous of constructing a single family dwelling in accordance with that depicted on Petitioner's Exhibit 1. Testimony indicated that as a result of the recommendations submitted by the Department of Environmental Protection and Resource Management (DEPREM), who believe that the dwelling proposed is too large for the subject site, the Petitioners agreed to modify the dwelling from a 28' x 56' one story dwelling, as depicted on Petitioner's Exhibit 1, to a 28' x 32' two story dwelling. Mr. Poole testified that the dwelling will still front on Maple Road. Petitioners also indicated their desire to install a parking pad in the rear of the subject property

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Date 11/14/91
By [Signature]

off of North Cove Road to provide off-street parking. Petitioners were advised at the hearing that the Zoning Office has no objections to the placement or location of the proposed parking pad. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficient-ly complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or

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Date 11/14/91
By [Signature]

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building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of January, 1991, that the Petition for Zoning

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Date 11/14/91
By [Signature]

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Variance to permit buildable lot with a width of 50 feet in lieu of the minimum required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The relief granted herein is limited to a two story, single family dwelling. Petitioner shall not allow or cause the subject dwelling to be converted to a multi-family dwelling unit and/or apartments.
- 3) Prior to the issuance of any building permits, Petitioners shall submit a revised site plan which incorporates the modified relief granted herein.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- 5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated December 17, 1990, attached hereto and made a part hereof.

JRH:bjs

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 17, 1990

Dennis F. Rasmussen
County Executive

Albert C. Jones
Free State General Contractors
300 Sassafras Road
Baltimore, Maryland 21221

RE: Zoning Variance, Item 118
SEC Maple & North Cove Roads
(2313 Maple Avenue)
15th Election District

Dear Mr. Jones:

To date, this office has not received the requested initialed copy of the Petition for a Variance form mailed to you with John Sullivan's letter, dated October 4, 1990. This letter is to inform you that if Mr. Sullivan does not receive the requested form within ten days from this date, your petition will be dismissed. Enclosed, please find an envelope addressed to Mr. Sullivan for your use.

If you have any questions, please do not hesitate to call him at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:jat
cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 4, 1990

Dennis F. Rasmussen
County Executive

Albert C. Jones
Free State General Contractors
300 Sassafras Road
Baltimore, Maryland 21221

RE: Zoning Variance, Item #118
SEC Maple & North Cove Roads
2313 Maple Road
15th Election District

Dear Mr. Jones:

Enclosed is one copy of the original variance petition forms with a 2nd required variance added "and...25 feet." Please have Messrs. Doty & Poole initial the change in the right hand margin and return to me. This form will be the official form placed in the file. As the required 2nd variance was an oversight on my part during your petition appointment, the revised plan fee has been waived. Please return the form as soon as possible. The address is Baltimore County Zoning Office, Room 113, 111 W. Chesapeake Avenue, Towson, Maryland 21204-4688.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

John J. Sullivan
Planner II

JJS/jat
cc: Mr. & Mrs. Benjamin Doty, 2326 Lodge Forest Dr., Balto., Md. 21219
Mr. & Mrs. Charles Poole, 7925 St. Bridget Lane, Balto., Md. 21222
File

91-171-A CRITICAL AREA
PETITION FOR ZONING VARIANCE REVISED PLANS
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: RECEIVED OCT 4 1990

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.3.c.1 to allow a buildable lot with a width of 50 ft. in lieu of the minimum required 55 ft. AND side street setback of 12 feet in lieu of required 25 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) All lots in this subdivision are fifty feet wide and are developed as single family dwelling units. To deny a variance would cause this deeded lot to be undeveloped.

MAP SE 7-E
G-2
P.D. 15
10-2-90
200-687

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
Charles D. Poole & Sherry
(Type or Print Name)
Charles D. Poole
Signature

7925 Saint Bridget Lane
Address
Baltimore, Maryland 21222
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Name, address and phone number of legal owner, contract purchaser, or representative to be contacted
Free-State Gen. Contrs. Alber C. Jones
Name 574-9337
300 Sassafras Rd-Balto. Md. 21221
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 16 day of 10-20-90, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20 day of Nov., 19-90 at 2 o'clock P.M.

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Date 11/14/91
By [Signature]

ESTIMATED LENGTH OF HEARING (1/2HR)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: [Signature] DATE 7-21-90

FREE-STATE
CONTRACTORS
INCORPORATED

300 SASSAFRAS ROAD • BALTIMORE, MARYLAND 21221 • 574-9337

Maple Road
The Description

Beginning at a point on the east side of Maple which is 40 feet wide and 20 feet from the center line south of North Cove Road. Which is 40 feet wide, being lot 2929, in the subdivision of Lodge Forest, as recorded in Baltimore County Plat Book 10, Folio 76, containing 8000 s.f. as known as 2313 Maple Avenue and located in the 15th Election District.

Lot 2929 LODGE FOREST
Subdivision
Now in 2313 MAPLE RD
Feb 8-7-90

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: **No 3469**

Date: **9-21-90**

Residential Variance filing fee
SEC N. COVE RD. & MAPLE AVE.
(# 2313 MAPLE AVE.)
BUCK JONES for Ben Poole/Charles Poole
\$35.00

04404#0020K1CHRC
BA COLL+26AND9-21-90
\$35.00

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: **No 3486**

Date: **9/24/90**

PUBLIC HEARING FEES

QTY	PRICE
010 - ZONING VARIANCE (IRL)	1 X \$35.00
TOTAL:	\$35.00

LAST NAME OF OWNER: DOTY / POOLE

04404#0020K1CHRC
BA COLL+26AND9-21-90
\$35.00

Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: **1226** Date of Posting: **12/18/90**

Posted for: **Variance**

Petitioner: **Benjamin Doty, et ux & Charles D. Poole, et ux**

Location of property: **SEC Maple Avenue & North Cove Road, 2313 Maple Ave.**

Location of Sign: **Posting in house sign of Maple Ave. & N. Cove Rd. approx. 10 ft. from 100 ft. stop sign on Maple Ave.**

Remarks: **None**

Posted by: **M. Haines** Date of return: **12/19/90**

Number of Signs: **1**

CERTIFICATE OF PUBLICATION
OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

November 21, 1990

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - P.O. #1018929 Reg. #M47742 - Case #91-171-A - 64 lines @ \$32.00 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for One successive weeks before the 22nd day of November 1990; that is to say, the same was inserted in the issues of November 21, 1990.

Kimbel Publication, Inc.
per Publisher.
By **Kimbel Publication**

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case Number: 91-171-A
SEC Maple Avenue and North Cove Road
(#2313 Maple Avenue)
15th Election District - 7th Councilmanic
Legal Owner: Benjamin Doty, et ux
Contract Purchaser: Charles D. Poole, et ux
HEARING: THURSDAY, DECEMBER 20, 1990 at 2:00 p.m.

Variance: to allow a buildable lot with a width of 50 ft. in lieu of the minimum required 55 ft. and side street setback of 12 ft. in lieu of the required 25 ft.

CERTIFICATE OF PUBLICATION
TOWSON, MD., **11-30-1990**

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on **11-22-1990**

THE JEFFERSONIAN,
S. Zebe Orlan
Publisher

\$32.03

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: **9110053F**

Date: **12/28/90**

PUBLIC HEARING FEES

QTY	PRICE
080 - POSTING SIGNS / ADVERTISING	1 X \$39.03
TOTAL:	\$39.03

LAST NAME OF OWNER: DOTY / POOLE

04404#0021M1CHRC
BA COLL+26AND9-21-90
\$39.03

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: **12-5-90**

Benjamin & Gladys Doty
2326 Lodge Forest Drive
Baltimore, Maryland 21219

Charles & Sherry Poole
7925 Saint Bridget Lane
Baltimore, Maryland 21222

RE:
Petition for Zoning Variance
CASE NUMBER: 91-171-A
SEC Maple Avenue and North Cove Road
(#2313 Maple Avenue)
15th Election District - 7th Councilmanic
Legal Owner: Benjamin Doty, et ux
Contract Purchaser: Charles D. Poole, et ux
HEARING: THURSDAY, DECEMBER 20, 1990 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that **\$89.03** is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 13, 1990

NOTICE OF REASSIGNMENT

CASE NUMBER(S): **91-171-A**
PETITIONER(S): **Benjamin Doty, et ux and Charles D. Poole, et ux**
LOCATION: **SEC Maple Avenue and North Cove Road, 2313 Maple Avenue**

THE ABOVE MATTER HAS BEEN REASSIGNED. HEARING WILL NOW TAKE PLACE AS FOLLOWS:

FRIDAY, DECEMBER 28, 1990 at 9:30 a.m.

IN THE BALTIMORE COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, ROOM 106, TOWSON, MARYLAND 21204.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY

JRH:gs
cc: Benjamin & Gladys Doty
Charles D. & Sherry Poole
Free State General Contractors

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-171-A
SEC Maple Avenue and North Cove Road
(#2313 Maple Avenue)
15th Election District - 7th Councilmanic
Legal Owner: Benjamin Doty, et ux
Contract Purchaser: Charles D. Poole, et ux
HEARING: THURSDAY, DECEMBER 20, 1990 at 2:00 p.m.

Variance to allow a buildable lot with a width of 50 ft. in lieu of the minimum required 55 ft. and side street setback of 12 ft. in lieu of the required 25 ft.

Dennis F. Rasmussen
County Executive

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Benjamin & Gladys Doty
Charles D. & Sherry Poole
Free State General Contractors

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 15, 1990

Mr. & Mrs. Benjamin Doty
2326 Lodge Forest Drive
Baltimore, MD 21219

Dennis F. Rasmussen
County Executive

RE: Item No. 118, Case No. 91-171-A
Petitioner: Benjamin Doty, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Doty:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Charles D. Poole
7925 Saint Bridget Lane
Baltimore, MD 21222

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 16th day of October, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Benjamin Doty, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: October 12, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Benjamin and Gladys Doty, Item No. 118

The Petitioner is requesting a Variance to permit a 50 ft. lot width in lieu of the minimum 55 ft. required. Staff has the following comments on the above request:

In instances such as these, staff's primary concerns are:

1. What is the impact on adjoining property?
2. Are adequate front, side and rear yard setbacks being provided on the site?
3. Will the reduced lot sizes result in requests for additional variances when subsequent lot owners try to build unsuitable homes on the lots or expand homes into required areas?

Based upon the information provided and analysis conducted, staff recommends that if the request is granted, the following conditions be attached:

- All building setback lines (front, side, rear) shall be shown on the site plan and recorded by the applicant on the deed of record. Furthermore, a statement shall be attached to the site plan which clearly states that all development shall conform to the setbacks as shown and additional variances shall not be granted for setbacks on the subject property.

- Any applications for building permits shall include a copy of the site plan and the Commissioner's "Findings of Fact and Conclusion of Law," provided by the applicant.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5800
(301) 887-4600
Paul H. Reincke
Chief

OCTOBER 11, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BENJAMINE DOTY
Location: #2313 MAPLE AVENUE

Item No.: 118 Zoning Agenda: OCTOBER 15, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. J. Kelly* Noted and Approved *Cap. F. B. B. B.*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

October 9, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 118
PROPERTY OWNER: Benjamin Doty, et ux CRITICAL
Contract Purchaser: Charles D. Poole, et ux
LOCATION: SEC Maple Avenue and North Cove Road (#2313
Maple Avenue)
ELECTION DISTRICT: 15th
COUNCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ~~W/RE~~ ARE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

(X) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

EFFECTIVE: January 19, 1989
20, 1989 SECTION 516.0 A Section added to read as follows:

SECTION: 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

Exception: Residential Storage Buildings 300 square feet or less.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive, shall be constructed so that water will pass through, without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN:

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

Exception: Buildings in areas designated as "FRINGE" areas by the Department of Public Works.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

January 1989

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 18, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for October 15, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 115 and 141.

Item 137 is subject to the previous County Review Group comments.

For Items 100, 138, 139 and 142, County Review Group Meetings may be required for these improvements.

For Item 140, the property outline and square footage are incorrect as per B/W plat 78-150-15A. The Maple Road right-of-way at frontage equals 42 feet.

For Item 143, a 10-foot widening strip is required for future 50-foot right-of-way of US-101 Beach Road.

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 17, 1990

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Mr. Donald C. Outen

SUBJECT: Petition for Zoning Variance - Item 118
Doty Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 2313 Maple Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. Benjamin Doty

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3.c.1 of the Baltimore County Zoning Regulations to permit a "buildable lot width of 50 feet in lieu of the minimum required 55 feet".

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

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REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-213(a)>.

Finding: This property is located approximately 800 feet from the tidal waters of North Point Creek. Therefore, the shoreline buffer shall not be disturbed.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination." <Baltimore County Code Sec. 22-98>

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no filling of wetlands shall occur.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Finding: The applicant is proposing a 784 square foot house with a porous gravel driveway. This development will create impervious surfaces which total 11% of the lot. Impervious surfaces shall not be allowed to sum to more than 15% of the lot.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.(5)>.

Finding: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

Shrub and small tree list: 8 items - ball and burlap or 2 gallon container size

Tree list: 2 items - minimum 4 foot size

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

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5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

Findings: To comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

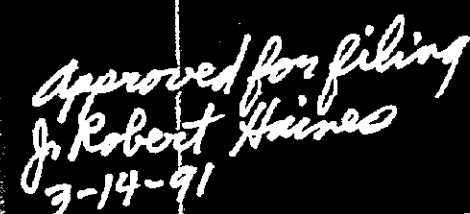
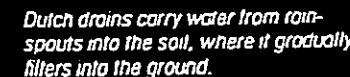
Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Donald C. Outen, Acting Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Vincent Gardina
The Honorable Donald Mason
Mrs. Janice B. Outen
Mr. and Mrs. Benjamin Doty
Mr. and Mrs. Charles Poole

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4-11-86 SITE
9-17-1-A
CRITICAL AREA

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	LODGE FOREST	S.E.
JANUARY 1986		7-1